

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

CUMBERLAND COUNTY HOSPITAL )  
SYSTEM, INC., d/b/a Cape Fear Valley )  
Health System, )  
Plaintiff, )

V. )

THOMAS E. PRICE, )  
Secretary of Health and Human Services, )  
Defendants. )

**JUDGMENT IN A CIVIL CASE**  
**CASE NO. 5:15-cv-319-D**

**Decision by the Court.**

**IT IS ORDERED, ADJUDGED, AND DECREED** that the court adopts the conclusions in the M&R [D.E. 79]. Plaintiffs motion for judgment on the pleadings [D.E. 67] is GRANTED, defendant's motion for judgment on the pleadings [D.E. 69] is DENIED, the Secretary's final decision is REVERSED, and the action is REMANDED for reimbursement of plaintiff as recommended by Magistrate Judge Gates in the M&R.

**This Judgment Filed and Entered on March 17, 2017, and Copies To:**

Steven Gordon Pine (via CM/ECF electronic notification)  
Susan King Hackney (via CM/ECF electronic notification)  
Neal Fowler (via CM/ECF electronic notification)

DATE:

March 17, 2017

PETER A. MOORE, JR., CLERK

(By) /s/ Nicole Briggeman

Deputy Clerk